December 11, 2012

The Bastrop City Council met in regular session on December 11, 2012 at 6:15 p.m. at the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Ken Kesselus, Kay Garcia McAnally, Joe Beal, Willie DeLaRosa and Dock Jackson.

ANNOUNCEMENTS

1. CALL TO ORDER

At 6:15 p.m. Mayor Terry Orr called the meeting to order with all members present.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Police Chief Michael Blake led the pledges of allegiance to the U.S. and Texas flags. Reverend Bob Long led the invocation.

3. PRESENTATIONS

A. CHARACTER EDUCATION – BASTROP STUDENT

Kristen Ballard a Senior at Bastrop High School presented the Character Education character trait "Perseverance" for the month of December.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

City Manager, Mike Talbot stated that a few months ago he advised the Council that there had been a short period in which the City could submit applications to the Federal Emergency Management Association (FEMA) for grants. Mr. Talbot stated the City had submitted 10 to 12 applications for various types of projects. Mr. Talbot stated Mayor Orr received a letter this week stating the City had been approved by FEMA and the State of Texas for the generator project for the Willow Street Plant, project number DR-4029-007. Mr. Talbot stated the total project cost is $315,789 with the federal share awarded being $236,841 and the non-federal share being $78,948. Mr. Talbot stated Mayor Orr received another letter this week stating the City had been approved by FEMA and the State of Texas for another generator for Loop 150 elevated storage facility & pumps, project number DR-1999-044. Mr. Talbot stated the total project cost is $315, 789 with the federal share awarded being $236,842 and the non-federal share being $78,947. Mr. Talbot stated the City does have up until July 2016 to utilize the funding but the City should try and complete the projects within a year's time and keep in good standing with FEMA. Mr. Talbot stated the City now has to come up with the matching funds. Mr. Talbot stated he will have a Plan of Action for the Council to consider at the second meeting in January.

Mayor Orr stated the City Secretary would be sending Council information on vacancies on the various City Boards and Commissions. Mayor Orr stated he would appreciate any Council recommendations for filling these vacancies.

City Secretary, Teresa Valdez stated she had distributed to the Council tonight the lists of the various Boards and Commissions which held vacancies.

CITY MANAGER INFORMATIONAL UPDATE REPORT: ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

A. MEETINGS AND EVENTS ATTENDED:
   1. REGULAR & SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION ON NOVEMBER 29, 2012.
   2. LIBRARY BOARD MEETING ON DECEMBER 3, 2012.
   3. PARKS BOARD MEETING ON DECEMBER 8, 2012.
B. UPDATE ON CITY PROJECTS:
   1. CHESTNUT STREET SIDEWALK PROJECT.
   2. BASTROP POWER & LIGHT ADMINISTRATIVE TRAINING BUILDING.
   3. BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PROJECT.
   4. STATE HIGHWAY 71 WASTEWATER PIPE BURSTING PROJECT.
   5. FAYETTE STREET WASTEWATER IMPROVEMENTS PROJECT.
   6. LONG TERM WATER SUPPLY STUDY.
   7. REVIEW OF SCHEDULED MEETINGS FOR 2013.
   8. FARM STREET PROJECT.
   9. PARKS BOARD MEETING ON DECEMBER 6, 2012.
   10. BASTROP ECONOMIC DEVELOPMENT CORPORATION – CLEAN-UP OF BUSINESS PARK.
   11. HOLIDAY SCHEDULE FOR CITY OPERATIONS.
   12. LOST PINES MOVIE THEATER EXPANSION.
   13. BASTROP MARKETING REPORT.
   14. CITY'S WEB SITE – CITIZEN'S INQUIRY.
   15. ANNUAL CHRISTMAS BANQUET – DECEMBER 14, 2012.
C. UPDATE ON CITY BUSINESS:
   1. CONVENTION CENTER ACTITIVITES.
   2. MAIN STREET PROGRAM ACTIVITIES.
   3. COMMERCIAL/RESIDENTIAL CONSTRUCTION PROJECTS IN THE CITY.
   4. YMCA ACTIVITIES.
D. DEPARTMENT AND BOARD REPORTS.
E. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

City Manager, Mike Talbot stated his written City Manager Report was sent to the Council on Monday.

Mr. Talbot addressed Item A.1. Mr. Talbot stated the Planning and Zoning Commission had held a Special Meeting on Form Based Code. Mr. Talbot stated that between now and January 11, 2013 he plans on having a meeting with the chair persons of the Planning and Zoning

Commission, the Main Street Advisory Board, the Historic Landmark Commission and the Board of Adjustment, Melissa McCollum and Nancy Wood to try and formulate a recommendation to Council on where the City goes from here regarding Form Based Code.

Mayor Orr asked if there is a monetary cost associated with the Form Based Code.

Mr. Talbot stated there is a monetary cost associated with the Form Based Code. Mr. Talbot stated that as learned from the presentation on Form Based Code, that it is not applied to the entire City; that you can concentrate on a certain area. Mr. Talbot stated staff wants some feedback, the Planning and Zoning Commission has asked for this for the last three years. Mr. Talbot stated the Zoning Ordinance also needs to be updated but the City cannot afford to do both the Form Based Code and the update of the Zoning Ordinance.

Mr. Talbot addressed Item B.7. Mr. Talbot stated Council Member Ken Kesselus had made a good suggestion that it would be helpful for Council Members to know the proposed meeting schedule for 2013 before it is placed on the Agenda for confirmation or ratification. Mr. Talbot stated rather than simply listing the dates of the meetings he had distributed to Council this week a month by month color coded calendar showing all the regular Council meetings, the potential utility workshops, which would be addressed later tonight at this meeting, the budget workshops and other meetings of interest to the Council. Mr. Talbot stated he is recommending that the Council have a Retreat on a given Saturday in the months of either March or April or on the first Saturday in May, being May 4, 2013. Mr. Talbot asked the Council to review the schedule and between now and the first meeting in January, if the Council would like to make revisions, please email them to him and then he will bring the revised schedule back to Council at the January 8, 2013 meeting for confirmation or ratification.

Brief discussion was held among Council and Mr. Talbot regarding the proposed meeting schedule and the budget workshops scheduled.

A. CONSENT AGENDA

ALL OF THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY BY THE COUNCIL AND WILL BE ENACTED WITH ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS.

A.1 APPROVAL OF MEETING MINUTES OF NOVEMBER 27, 2012.

A.2 ADOPTION OF AN ORDINANCE MODIFYING THE CONTRACTUAL RATES PAID TO ALLIED WASTE SERVICES FOR RESIDENTIAL AND COMMERCIAL GARBAGE COLLECTION SERVICE BY ALLIED WASTE ERVICES, AMENDING THE RATE OF RESIDENTIAL SERVICE BY ALLIED WASTE SERVICES; AMENDING THE RATE OF RESIDENTIAL AND COMMERCIAL GARBAGE SERVICE CHARGED TO THE CITIZENS OF BASTROP FOR ADMINISTRATIVE AND SERVICE RATES; AND PROVIDING AN EFFECTIVE DATE.

A.3 APPROVAL OF THE PROPOSED TAX REBATES FOR HISTORIC LANDMARKS.

A.4 APPROVAL OF A STATUTORY DENIAL EXTENSION, FOR A PERIOD OF 180 DAYS COMMENCING ON DECEMBER 22, 2012 FOR XS RANCH PHASE 1-A PRELIMINARY PLAT WITHIN TH E CITY OF BASTROP, TEXAS EXTRA TERRITORIAL JURISDICTION (ETJ).

A.5 APPROVAL OF REQUEST TO ACCEPT THE PUBLIC IMPROVEMENTS, NOT AFFILIATED WITH THE TEXAS CAPITAL FUND GRANT, FOR BUC-EE'S STORE #28 SUBDIVISION LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.6 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.

Willie DeLaRosa asked that Consent Agenda Item A.2 be pulled for separate discussion.

Joe Beal moved to approve the Consent Agenda minus Item A.2. Motion was seconded by Willie DeLaRosa and carried unanimously.

Mayor Orr read the caption of the Ordinance listed as Consent Agenda Item A.2, in compliance with the City's Home Rule Charter.

City Manager, Mike Talbot stated the first reading of this Ordinance had been conducted at the last Council meeting. Mr. Talbot stated staff did confirm that the rate increase request is in line with the Contract.

Willie DeLaRosa stated there was a nineteen cents increase for residents from this year to last year, and he wanted to know what were some of the issues Allied raised for this increase since fuel costs have gone down.

Mayor Orr stated over the last few years the Contract has worked both ways, when the Consumer Price Index had gone down, Allied had lowered the rates, and when the Consumer Price Index had gone up, Allied had requested an increase in rates from the City.

Willie DeLaRosa stated there was a typographical error in the third "Whereas" in the Ordinance, instead of "2012", it should state "2011".

Dock Jackson moved to adopt the Ordinance with the correction to the typographical error noted by Mr. DeLaRosa. Motion was seconded by Ken Kesselus and carried unanimously.

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: TO RECEIVE PUBLIC INPUT ON A REQUEST FROM DELI DEPOT, LOCATED AT 1006 MAIN STREET, BASTROP, TEXAS, FOR A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.004 SALE OF ALCOHOLIC BEVERAGES, DISTANCE OF PREMISES FROM CHURCH, SCHOOL OR HOSPITAL.

City Manager, Mike Talbot stated notice of the Public Hearing was provided to all property owners as stated in the Code and was published in the Bastrop Advertiser on Saturday, November 24, 2012. Mr. Talbot stated over 50% of the Notices of Public Hearing for the November 27, 2012 Council Meeting were returned to the City as "undeliverable". Mr. Talbot stated it was the recommendation of staff to City Council that the Public Hearing and action item be pulled from the November 27, 2012 Council Agenda in order to reschedule the Public Hearing for December 11, 2012 and ensure that all property owners be notified of the Public Hearing. Mr. Talbot stated notices were re-mailed and Notice of the Public Hearing was published in the Bastrop Advertiser on Saturday, December 8, 2012.

City Manager, Mike Talbot stated a letter dated November 19, 2012 was received from Joey Chapman on behalf of Deli Depot Restaurant requesting a variance to Bastrop Code of Ordinances Article 4.01, Section 4.02.004. Mr. Talbot stated according to the Bastrop Code of Ordinances Article 4.01, Section 4.02.004 the City Council may provide variances to the 300-foot limitation if the city Council determines that the enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, or is not effective or necessary, or for any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation determines is in the best interest of the community. Mr. Talbot stated according to the City's Code the Council is required to conduct a Public Hearing to receive public input on the requested variance. Mr. Talbot stated 13 responses were received in favor of the request for the variance and 1 response against the request for variance.

There were no public comments.

B.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM DELI DEPOT, LOCATED AT 1006 MAIN STREET, BASTROP, FOR A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.004 SALE OF ALCOHOLIC BEVERAGES, DISTANCE OF PREMISES FROM CHURCH, SCHOOL OR HOSPITAL.

Joe Beal moved to grant the variance. Motion was seconded by Willie DeLaRosa and carried unanimously.

B.3 CITIZEN COMMENTS.

There were no citizen comments.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM BASTROP ART IN PUBLIC PLACES TASK FORCE THAT THE CITY COUNCIL PROVIDE FUNDING FOR 2013.

City Manager, Mike Talbot stated at the last Council meeting it was requested that he contact Ms. Karol Rice of the Bastrop Art in Public Places Task Force to see if Ms. Rice was expecting Arts in Public Places to be on the December 11, 1012 Council meeting agenda based upon her presentation to the Council on October 23, 2012. Mr. Talbot stated he contacted Ms. Rice and she advised him that the Bastrop Arts In Public Places Task Force would like very much to be on the December 11, 2102 Council meeting agenda. Mr. Talbot stated the nature of the Bastrop Arts in Public Places Task Force request is to discuss with the member of the Council some level of funding for 2013. Mr. Talbot stated Ms. Rice has included a letter which more clearly lays out the nature of their funding request. Mr. Talbot stated he had City Attorney, J.C. Brown review this letter and Ms. Brown advised him that the nature of their request is eligible for Hotel Occupancy Tax (HOT) funding based upon the findings of the City Council. Mr. Talbot stated the biggest issue of Ms. Rice is that they would like to move forward with the development of their first major public call to artists. Mr. Talbot stated Ms. Rice states in her letter that they are looking at either a mosaic stairway or a public mural (perhaps on the back of the new museum).

Kay Garcia McAnally stated the Bastrop Art in Public Places Task Force cannot put out a call to artists until they have a budget.

Mr. Talbot stated in Ms. Rice's letter she states they have two estimates from mosaic artists in order to get an idea of the cost of such a project and that was between $40,000 and $60,000. Mr. Talbot stated the Council has three funds that could be used: General Fund, Community Services Fund and the Hotel Occupancy Tax (HOT) Revenue Fund. Mr. Talbot stated he chose to do his analysis on the HOT Fund because the General Fund is pretty tight this year because the Council had chosen not to raise taxes and budgets were cut. Mr. Talbot stated the estimated revenues for the HOT Fund is 2.3 million at this point and he feels confident that the City is going to meet that. Mr. Talbot stated he attending a meeting today with hotel owners and the weekend of the Formula One race had been good. Mr. Talbot stated the City has kept the expenditures in line with the projected 2.3 million revenue, and this does include an expenditure of $26,400 for the Formula One race and it is his understanding that the City will be receiving a check from the Chamber of Commerce for $8,000, so that leaves the City with a $14,000 expenditure out of the HOT Fund. Mr. Talbot stated that if the City funds $50,000 that would keep the Fund Balance at the same level as the City started with in Fiscal Year 2011. Mr. Talbot stated to him it was extremely important not to drop that Fund Balance below 1.8 million and the reason for this is because the City had issued a large bond package and the rating agencies look at the City ability to pay it back and the 1.8 million fund balance provides a comfort level that the City is able to pay back money borrowed. Mr. Talbot stated that if the City starts pulling that fund balance down that could impact the City's bond rating. Mr. Talbot stated if the City does not spend any more money, they could allocate $50,000 to the Bastrop Art in Public Places Task Force and that is his recommendation.

Willie DeLaRosa stated he thought the Council had developed a process for requesting funds from the HOT fund and now there is an organization coming in and asking for money outside of this process. Mr. DeLaRosa asked what that tells other organizations. Mr. DeLaRosa asked if the City was going to be consistent with other organizations.

Ken Kesselus stated he thought Mr. DeLaRosa had a good point, but this is a committee appointed by Council and not an outside organization. Mr. Kesselus stated he did not think this was a kind of organization that would apply for HOT funding and they would not be included in that process developed by the Council.

Discussion was held among Council and Mr. Talbot.

Dock Jackson moved to award the Bastrop Art in Public Places Task Force $50,000, to be taken from the Hotel Occupancy Tax Revenue Fund, to be utilized for the first major public call to artists for either a mosaic stairway or public mural. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE BASTROP CITY CODE OF ORDINANCES, APPENDIX A FEE SCHEDULE, ARTICLE A.13.02 "WATER AND WASTEWATER RATES AND CHARGES" REPEALING CONFLICTING PROVISIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

City Manager, Mike Talbot stated following the direction set forth by the Council last year this time this is the second year of implementation of the Capital Improvement Program. Mr. Talbot stated in order to remain consistent with Rimrock Consulting Company's recommendation of a rate increase of 9.9% and to property provide water and wastewater service within the City, it is necessary to amend the current water and wastewater rates and charges. Mr. Talbot stated in the Council does not approve this rate increase the City will not be able to address the water supply issues.

Brief discussion was held among Council and Mr. Talbot.

Ken Kesselus moved to approve the Ordinance. Motion was seconded by Willie DeLaRosa and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON AWARDING THE BID TO ANDREW'S & FOSTER DRILLING COMPANY AS RECOMMENDED BY R.W. HARDEN & ASSOCIATES FOR DRILLING A TEST HOLE FOR WATER SUPLY AT MAYFEST PARK.

City Manager, Mike Talbot called the Council's attention to a Memo from Mr. James Bene of R.W. Hardin & Associates, included in the Agenda packet. Mr. Talbot stated Mr. Bene is recommending award of the bid for drilling one test hole at Mayfest Park to Andrews & Foster Company. Mr. Talbot stated the major purpose of drilling the test hole is to identify aquifer zones in the Wilcox which may be suitable for municipal water supply. Mr. Talbot stated he is in agreement with Mr. Bene that the Council award the bid for Items No. 1 and No. 2 to Andrews & Foster Company in the amount of $51,000 for drilling one test hole. Mr. Talbot stated he would recommend that prior to awarding bid Items No. 3 and No. 4, as suggested in Mr. Bene's memo, Mr. Bene report to the Council that work done in bid items No. 1 and No. 2 has provided the necessary information that supports spending an additional $65,000.

Discussion was held among Council and Mr. Talbot.

Joe Beal moved award the bid in the amount of $51,000 for Items No. 1 and No. 2 to Andrews & Foster Company and prior to awarding bid items No. 3 and No. 4, Mr. Bene report to the Council on work done in bid items No. 1 and No. 2. Motion was seconded by Willie DeLaRosa and carried unanimously.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLTUION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BASTROP.

City Manager, Mike Talbot stated that based upon previous action of the City, in which the Council approved a five-year Capital Improvements Program for the water and wastewater system improvements and expansion of certain facilities, in Fiscal Year 2013 the City will be moving into the second year of the five-year Capital Improvements Program. Mr. Talbot stated the second year includes several water and wastewater projects. Mr. Talbot stated one of those projects was on the agenda tonight and approved by Council, that being the development of additional water supply. Mr. Talbot stated at the present time he is planning on issuing bonds for these projects in the February-March time frame. Mr. Talbot stated the City may incur some expenditures on these projects, such as water supply project, prior to issuing bonds. Mr. Talbot stated the purpose of this Resolution is to provide the City a mechanism to reimburse the water and wastewater fund any expenditures prior to issuing bonds from the bond proceeds.

Willie DeLaRosa moved to adopt the Resolution. Motion was seconded by Dock Jackson and carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVING THE CITY OF BASTROP POLICIES AND PROCEDURES FOR CONDUCTING THE CITY MANAGER'S ANNUAL PERFORMANCE REVIEW BY THE CITY COUNCIL.

Mayor Orr stated the Council started this because there was basically no process in place for evaluating the performance of the City Manager. Mayor Orr stated Council Member Joe Beal had started the process and it had evolved into what he believed as a more formalized evaluation process.

Joe Beal stated he thinks this is a very good step. Mr. Beal stated the Council has a schedule they can follow and it is workable. Mr. Beal stated the evaluation will feed from what Council wants and decisions can be made in time for the budget process. Mr. Beal stated page C-6 should actually be page D-2.

Mayor Orr asked that Mr. Beal be the primary person that deals with Mr. Talbot on the evaluation process.

Joe Beal moved to approve the City of Bastrop Policies and Procedures for Conducting the City Manager's Annual Performance Review by the City Council with the correct placement of the page incorrectly placed as noted by Mr. Beal. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.6 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING OF OCTOBER 31, 2012.

City Manager, Mike Talbot stated he is filling in for Finance Director, Karla Stovall tonight. Mr. Talbot distributed to the Council a corrected copy of the unaudited monthly Financial Reports for the period ending of October 31, 2012. Mr. Talbot reviewed the report. Mr. Talbot explained why the Hotel/Motel Fund revenues only showed revenue of $.01%. Mr. Talbot stated last year when the auditor reviewed the City financials, the auditor recommended that the Finance Department implement that they would book the revenue earned from HOT collections in the fiscal year it was applicable to. Mr. Talbot stated in September the City will recognize two months of revenue, therefore showing 12 months of revenue for a fiscal year.

Willie DeLaRosa moved to accept the unaudited monthly Financial Reports for the period ending October 31, 2012. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.7 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS AUTHORIZING THE CITY COUNCIL TO MEET EVERY OTHER MONTH TO DISCUSS ISSUES SOLELY RELATED TO WATER/WASTEWATER AND ELECTRIC UTILITY SERVICE IN THE CITY OF BASTROP, TEXAS.

Mayor Orr stated Council Member Kesselus was responsible for the genesis of this idea.

Mr. Kesselus stated this item was self-explanatory and he was looking for a way for the Council to get a handle on the City's utilities.

Mayor Orr stated he would like more flexibility by having the word "sole" removed from No. 2 in the Resolution, because there are times when the issues, other than utility issues, arise that the Council may need to address at one of these meetings.

Discussion was held among Council, the City Manager and the City Attorney.

Ken Kesselus moved to adopt the Resolution with the word "solely" removed and an amendment of new language, to be crafted by the City Attorney, being an additional "Whereas" allowing for discussion and consideration of certain topics, other than utility topics, if the Mayor has determined that the topic is of immediate need or emergency. Motion was seconded by Kay Garcia McAnally and carried unanimously.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, TO DISCUSS THE FOLLOWING:

1. SECTION 551.071(1)(A) AND SECTION 551.071(2) - CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.072 – DELIBERATION REGARDING REAL PROPERTY: REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY.
3. SECTION 551.087 – DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS – PROJECT ZEBRA I.

At 8:15 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) – Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, or value of real property.
3. Section 551.087 – Deliberation regarding economic development negotiations – Project Zebra I.

E.2 THE BASTROP CITY COUNCIL WILL RECONVENE INTO OPEN SESSION TO DISCUSS, CONSIDER AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE EXECUTIVE SESSIONS NOTED HEREIN, OR REGULAR AGENDA ITEMS, NOTED ABOVE, AND/OR RELATED ITEMS.

At 9:35 p.m., Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

Kay Garcia McAnally moved to direct the City Manager to provide the current FMV appraisal to Cox Enterprises, in Atlanta, Georgia, offering to purchase the property currently occupied by the Bastrop Advertiser for the price noted in the appraisal; seeking a reply to the City's offer from Cox Enterprises within 90 days; and, in the interim, to assist the Council with planning and holding an informational update meeting, in January 2013, for the public to hear and respond to the City's plans and efforts to provide additional parking in the downtown area, as those efforts relate to the letter mentioned herein. Motion was seconded by Willie DeLaRosa and carried unanimously.

F. ADJOURNMENT

At 10:35 p.m., Kay Garcia McAnally moved to adjourn. Motion was seconded by Dock Jackson and carried unanimously.

APPROVED:	ATTEST:
______________________	______________________
Terry Orr, Mayor	Teresa Valdez, City Secretary